

**ASSEMBLY BILL**

**No. 1739**

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**Introduced by Committee on Judiciary (Jones (Chair), Evans,  
Laird, Levine, Lieber, and Montanez)**

March 2, 2005

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An act to add Section 68511.4 to the Government Code, relating to access to legal services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1739, as introduced, Committee on Judiciary. Judicial Council: access to legal services.

Existing law requires an attorney or law firm that receives or disburses trust funds to establish an interest-bearing demand trust account and to deposit in the account all client deposits that are nominal in amount or are on deposit for a short period of time, the earnings on which are to be paid to the State Bar to be used to fund qualified legal services projects and qualified support centers that provide free legal services to indigent persons.

Existing law permits the withdrawal of a legal service agency attorney if a reduction in public funding for legal service materially impairs his or her ability to represent an indigent client, as specified, and authorizes the court to appoint any member of the State Bar or any law firm or professional law corporation to represent the indigent defendant without compensation, upon a showing of good cause.

Existing law also requires the Judicial Council to adopt rules of court, among other things, for litigants proceeding in forma pauperis and for regulating the selection of appointed counsel to handle criminal appeals by indigent defendants, as specified.

This bill would authorize the Judicial Council to provide by rule of court for measures addressing the findings and recommendations of the California Commission on Access to Justice as stated in a

specified report relating to improving the access of indigent persons to legal services.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 68511.4 is added to the Government
- 2 Code, to read:
- 3 68511.4. The Judicial Council may provide by rule of court
- 4 for measures addressing the findings and recommendations of the
- 5 California Commission on Access to Justice as reported in its
- 6 October 2002 report, "The Path to Equal Justice."